IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.2052 OF 2005

M/s.Otarmal Kantilal & Co. ....Plaintiff
V/s.
Sethu Ammavasi & Anr. ....Defendants

Mr.H.K. Nikumb for the Plaintiff.
None for the Defendants.

CORAM : S.J. VAZIFDAR, J.
DATED : 14TH DECEMBER, 2005.

P.C. :

1. The suit is filed to recover an amount of Rs.89,115=61 together with interest.

2. The Plaintiff has filed the compilation of the original documents. The same is taken on record and marked Exhibit "A" collectively.

3. Defendant No.1 is the drawer of the bill of exchange. Defendant No.2 is the acceptor of the bill of exchange. The notice of dishonour was waived. The Defendants have dishonoured the bill of exchange.

4. There is no appearance. There is no written statement. There is no reply to the Plaintiff’s

advocate notice demanding payment. There is nothing on record that militates against the Plaintiff’s claim. This is a fit case where the averments and the submissions in the plaint ought to be accepted as correct.

5. In the circumstances, the suit is decreed as prayed with costs.

. Refund as per rules.